

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

RUDOLPH GEORGE STANKO,

Defendant.

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8:05CR93

ORDER

Pursuant to 28 U.S.C. § 636 and NECrimR 57.1,

IT IS ORDERED:

1. The following motions are set for hearing on **May 3, 2005 at 9:00 a.m.** before Magistrate Judge F.A. Gossett, Courtroom No. 6, Second Floor, Roman L. Hruska United States Courthouse, 111 South 18th Plaza, Omaha, Nebraska:

- **Filing [21]** – MOTION AND BRIEF FOR ACCESS TO GRAND JURY MATERIALS RELATING TO THE GRAND JURY'S COMPOSITION, THE DEFENDANT'S ALLEGED BANK FRAUD CONVICTION AND THE GOVERNMENT'S REPRESENTATION OF STANKO'S FELON STATUS: CHALLENGE TO THE CONSTITUTIONALITY OF RULE 6(E)
- **Filing [22]** – MOTION AND BRIEF FOR DECLARATORY JUDGMENT THAT THE DEFENDANT IS NOT A CONVICTED FELON UNDER THE GUN CONTROL ACT AND FOR DISMISSAL WITH PREJUDICE.
- **Filing [23]** – PETITION FOR ENTRY OF PLEA IN ABATEMENT: CHALLENGE TO THE CONSTITUTIONALITY OF RULE 11(A)(1) AND RULE 12 OR, IN THE ALTERNATIVE, MOTION FOR DECLARATION THAT THE INDICTMENT IS BASED ON FUNDAMENTALLY FLAWED INSTITUTION OF PROSECUTION

2. The government shall file responsive briefs regarding Filings [21], [22], and [23] no later than **April 25, 2005.**

DATED April 5, 2005.

BY THE COURT:

**s/ F.A. Gossett
United States Magistrate Judge**